

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**GUSTAVO ALVAREZ RIVAS,  
JUAN GUILLERMO GUERR ZARATE,  
RENE ALEJANDRO SANTA  
HERNANDEZ, and  
ANDRES VALERIO MORALES,  
Plaintiffs,**

**CIVIL ACTION**

**NO. 18-4085**

**v.**

**VICTORY GARDENS, INC.,  
SNOW BUTLERS, L.L.C.,  
MICHAEL BUTLER, and  
JUSTIN BUTLER,  
Defendants.**

**ORDER**

**AND NOW**, this 25th day of November, 2019, upon consideration of Amended Joint Motion for Court Approval of Settlement Agreement and Dismissal of Complaint (Document No. 31, filed November 20, 2019), **IT IS ORDERED** that Amended Joint Motion for Court Approval of Settlement Agreement and Dismissal of Complaint is **GRANTED**. The Court **APPROVES** the settlement in the total amount of \$36,540.00, to be distributed to the four (4) plaintiffs in accordance with the Settlement Agreement and Release (Public Agreement) attached to the Joint Motion as Exhibit “A”. Plaintiffs’ counsel agreed not to seek a counsel fee from the \$36,5410.00 settlement fund; the counsel fee will be paid out of the settlement of the related claims under 42 U.S.C. § 1981, the Pennsylvania Minimum Wage Act and the Pennsylvania Wage Payment and Collection Law.

The Court **FINDS** that the settlement is a fair and reasonable compromise of a bona fide dispute and does not impermissibly frustrate the implementation of the Fair Labor Standards Act in the workplace.

**IT IS FURTHER ORDERED** that Joint Motion for Court Approval of Settlement Agreement and Dismissal of Complaint (Document No. 30, filed August 26, 2019) is **DENIED AS MOOT**.

**IT IS FURTHER ORDERED** that pursuant to the provisions of Rule 41.1(b) of the Local Rules of Civil Procedure of this Court, the above action is **DISMISSED WITH PREJUDICE**, by agreement of counsel, without costs. The Court **RETAINS** jurisdiction over the case for the purpose of enforcing the settlement.

**BY THE COURT:**

**/s/ Hon. Jan E. DuBois**

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**DuBOIS, JAN E., J.**